

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
BEAUMONT DIVISION

LEROY PORTER, JR. §  
VS. § CIVIL ACTION NO. 1:08cv347  
JOHN B. FOX, ET AL. §

MEMORANDUM ORDER ADOPTING THE MAGISTRATE  
JUDGE'S REPORT AND RECOMMENDATION

Plaintiff Leroy Porter, Jr., an inmate at the Federal Correctional Complex in Beaumont, Texas, proceeding *pro se*, brought this lawsuit against prison officials.

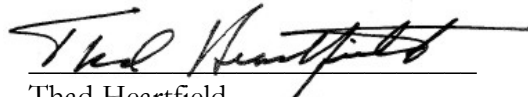
The court heretofore referred this matter to the Honorable Earl S. Hines, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. The magistrate judge recommends this action be dismissed pursuant to FED. R. CIV. P. 41(a).

The court has received and considered the Report and Recommendation of United States Magistrate Judge filed pursuant to such referral, along with the record, pleadings and all available evidence.

O R D E R

The court is of the opinion the findings of fact and conclusions of law of the magistrate judge are correct. The report of the magistrate judge is therefore **ADOPTED**. A final judgment will be entered in this case in accordance with the magistrate judge's recommendations.

**SIGNED** this the **23** day of **July, 2008**.



Thad Heartfield  
United States District Judge